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Irene Grantham

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Irene Grantham

(Typed or printed name of person)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: **Elizabeth King, et al.** :

Examiner: **J. Spear**

APPLICATION NO.: **09/425,622**

: **Group Art Unit: 1615**

FILING DATE: **October 22, 1999** :

TITLE: **Controlled-Release Pharmaceutical Formulations** :

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

RESPONSE

This is in response to the non-Final Office Action dated January 14, 2004 in the above-identified application. The term for response expired on April 14, 2004. Enclosed is a petition for a one-month extension of time, extending the term for response until May 14, 2004.

Claims 32, 36, 52, 53, 56, 57 and 59-66 were allowed. Claims 31, 33-35, 46-51, 54, 55 and 58 are rejected, with Claims 37-43 objected to as being dependent upon the above-mentioned rejected claims.

REMARKS

The Examiner rejected Claims 31, 33-35, 46-51, 54, 55 and 58 under 35 U.S.C. § 102(e) as being anticipated by U.S. 6,403,597 (Wilson et al.). Applicants traverse the Examiner's rejection and request that the Examiner reconsider the rejection.

Applicants' present application, 09/425,622, was filed October 22, 1999 and claims